

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

CHEVRON CORP.,

Plaintiffs,

-against-

Case No. 1:12-MC-00065-LK-CFH

Hon. Lewis A. Kaplan

STEVEN DONZIGER, *et al.*,

Defendants.

**DECLARATION OF JOHN DOE #2 (OWNER OF PIRANCHA@HOTMAIL.COM) IN
SUPPORT OF MOTION OF NON-PARTY JOHN DOE MOVANTS TO QUASH
SUBPOENA TO MICROSOFT INC. SEEKING IDENTITY AND EMAIL USAGE
INFORMATION**

Using my email address, pirancha@hotmail.com, instead of my actual name, in order to protect my identity pursuant to my rights under the First Amendment and New York law, I declare as follows:

1. I am the owner of the email account pirancha@hotmail.com. I have personal knowledge of all matters set forth in this declaration. If called upon to do so, I could and would testify to all matters set forth herein.
2. I am providing this declaration under my email address because I wish to protect my rights to free speech and participation in associational activities. I also wish to avoid making moot these very issues, which I have raised in this motion. A true and correct copy of my actual signature for this document resides with my attorneys.
3. In September 2012, I received notice from Microsoft of a subpoena issued in relation to the *Chevron, Corp. v. Donziger et al.*, Case No. 11-0691 (LAK) (S.D.N.Y.) for identifying and email usage information associated with my Hotmail address. I am not a defendant in that case. I also received notice from Google and Yahoo! about other subpoenas in the same case issued in the District Court for the Northern District of California seeking information about Gmail and Yahoo! addresses of mine. I am now moving to quash the subpoena issued to Microsoft for information associated with my Hotmail account. I am separately moving to quash

the subpoenas seeking my Gmail and Yahoo! account information in the District Court for the Northern District of California.

4. I am a full-time independent journalist, as well as an environmental and human rights activist.

5. I provided professional public relations services to environmental activists and lawyers working in the Ecuadorian Amazon from 2005 to 2010, and continue to perform these functions occasionally on a volunteer basis. My roles have included providing translation services, editing newsletters, serving as a public spokesperson, managing international press relations, planning special events, and coordinating press conferences, among other activities.

6. I estimate that I have had my Hotmail email address since 2005. I have used my Hotmail account to engage in both personal and professional communications for approximately seven years. It is important to me that Chevron not have access to all my email usage information and locations during that time period.

7. Keeping my Hotmail account and location information private is very important to me for personal and professional reasons. I am a professional journalist and maintaining journalistic confidentiality regarding my communications and locations has been, and continues to be, an important part of my job.

8. During the course of my environmental and human rights activism work in Ecuador, I have been subjected to physical threats and believe that my life and family's safety have been endangered. I believe that the threats against me were due to my role in the public environmental advocacy campaign against Chevron.

9. I feel harassed by Chevron's attempt to obtain my email usage records and feel that it violates my rights.

10. I know other people who have been harassed because of their environmental advocacy work against Chevron.

11. I know other people who have stopped participating in or have decided not to participate in advocacy against Chevron because they fear harassment and retribution.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 31 2013.

Pisancha @ Hotmail.com
PIRANCHA@HOTMAIL.COM